

COPY

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

700-0090

STIPULATED AGREEMENT

This agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission, hereinafter referred to as the "Commission", the Illinois Central Railroad Company, hereinafter referred to as the "Company", Johnson County hereinafter referred to as the "County", and the State of Illinois, Department of Transportation, hereinafter referred to as the "Department".

WITNESSETH:

WHEREAS, it has come to the attention of the Commission through informal correspondence that inquiry should be made into the matter of improving public safety at the crossing of the Company's tracks with a public highway known as Renshaw Street (TR-225) located in the unincorporated community of Reevesville, Johnson County, Illinois, designated as crossing DOT 296 654B, milepost 109.79-U; and

WHEREAS, proper investigation has been made of the circumstances surrounding the aforesaid crossing by a staff member of the Commission's Transportation Division, Railroad Section; and

WHEREAS, the physical aspects, including geometrics of the intersection, train movements, vehicular traffic volume, and all other pertinent data relating to the crossing have been obtained and shown on Exhibit A, attached to the agreement; and

WHEREAS, the parties are mutually agreeable to accomplish the proposed improvements upon a determination of the Commission by Order.

NOW, THEREFORE in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the Commission enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law and that in the interest of the statewide traveling public the Grade Crossing Protection Fund of the Motor Fuel Tax Law be required to bear a substantial portion of the cost; To Wit the parties agree as follows:

Section 1 All improvements encompassed by this agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and Orders and procedures in general.

Section 2 The parties are of the opinion that the proper improvements in the interest of public safety at the aforesaid crossing should be:

- a) The Company should install automatic flashing light signals and gates controlled by constant warning time circuitry;

- b) The Company should raise the passing track to the same elevation as the main track and replace the passing track crossing surface so that it conforms with 92 IL Adm. Code 1535, all as further detailed on Exhibit B-1, attached hereto;
- c) The County should improve the highway approaches to the crossing, as detailed on Exhibit C, attached hereto;

Section 3           The Company has prepared preliminary estimates of cost which are attached as Exhibits B, and B-1 to accomplish the proposed improvements which it may be required to perform; The Company shall upon Order, according to the requirements contained therein, prepare detailed drawings, detailed circuit plans, estimates of cost, and any required specifications for the proposed improvements for the approval of the Commission and Department.

Section 4           The County has prepared a preliminary estimate of cost which is attached as Exhibit C to accomplish the proposed improvements which it may be required to perform; the County shall upon Order, according to the requirements contained therein, prepare detailed plans, estimates of cost, and any required specifications for the proposed improvements for the approval of the Commission and Department.

Section 5           The Company and County shall each upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with their own forces or appropriate contracted services and agrees that an appropriate time for the submission of plans should be one hundred twenty (120) days, for the submission of progress reports should be six (6) months and for the completion of the proposed improvements should be twelve (12) months, from the date of Commission Order subsequent to this agreement.

Section 6           The parties hereto agree that an equitable division of cost for the proposed improvements should be:

- a)    The cost to install automatic flashing light signals and gates estimated at \$130,220, should be allocated whereby the Department utilizing federal funding under ISTEA, should pay 70% of the actual project cost (\$91,154); the Grade Crossing Protection Fund (Fund) should bear 30% of said project cost, not to exceed \$39,066, with the Company bearing any remaining cost after payment from ISTEA and the Fund, as well as all future operation and maintenance cost thereof;
- b)    The cost to perform the track raise and crossing surface work as detailed in Section 2 (b) herein above, estimated at \$22,506, should be allocated 100% to the Company as well as all future maintenance cost there of
- c)    The cost to perform the approach improvement work as detailed in Section 2 (c) herein above, estimated at \$5,085, should be allocated 100% to the County as well as all future maintenance cost there of

Section 7           The County is financially able and willing to bear an equitable portion of the cost for the proposed improvements as may be assigned by the order and indicates this intent by Resolution attached as Exhibit D.

Section 8 Special Provisions: Since federal funding is being utilized for the warning device improvements at the subject crossing, all such work shall be covered by appropriate provisions of Title 23, Chapter I, Subchapter G, Part 646 of the Federal-Aid Policy Guide adopted Dec. 9, 1991.

Since the warning device improvement at the subject crossing will be performed by railroad crews, no flagging or contractor liability insurance will be required for said work.

The Company and County shall each file a written report with the Director of Processing and Information, Transportation Division of the Commission, within fifteen (15) days of the conclusion of each calendar quarter, stating the status of expenditures of their portions of the project and the percentage of completion of the project; if the project is behind schedule the report must include a brief explanation of the reason(s) for the delay.

All bills for expenditures authorized to be reimbursed from the Grade Crossing Protection Fund shall be submitted to Mr. Henry Cronister, Bureau of Local Roads and Streets, Main Office, Illinois Department of Transportation at 2300 South Dirksen Parkway, Room 205, Springfield, Illinois, 62764. The Department shall send a copy of each bill received to the Director of Processing and Information, Transportation Division of the Commission. The final bill for expenditures from each party shall be clearly marked "Final Bill". All bills shall be submitted to the Department and Commission no later than twenty four (24) months from the date of Commission Order subsequent to this agreement. Authorization for reimbursement from the Grade Crossing Protection Fund shall expire twelve (12) months after the completion date specified in the Order. The Department shall, at the end of the 24<sup>th</sup> month from the Commission's Order date, de-obligate all residual funds accountable for installation costs for this project.

The Company and the County shall have bi-monthly coordination meetings, unless agreed to by each of them that any meeting is not necessary, until the completion of the project;

The County will be responsible for the roadway project and provide construction supervision.

The west approach to the Renshaw Street crossing nearly complies with the grade requirement of 92 IL Adm. Code 1535.204. Requiring the improvement of the west highway approach is not practicable. The County should be granted a variance from said grade requirement of 92 IL Adm. Code 1535.204 and be allowed to maintain the west highway approach to the existing grade as shown on Exhibit C, Page 3.

Since the highway reconstruction will be performed by the County and/or its contractor, roadway contractor and railroad liability insurance will be required as specified in the Illinois Department of Transportation's "Standards and Specifications for Road and Bridge Construction";

The Company and County shall each within ninety (90) days of the date of Commission's Order subsequent to this Agreement, submit to the Director of Processing and Information, Transportation Division of the Commission, the name, title, mailing address, phone number and facsimile number of their project manager.

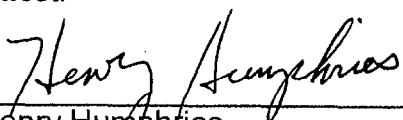
In Witness Whereof, the parties have caused this agreement to be executed by their duly authorized officers, as of the dates indicated herein.

Executed by the Commission this 9th day of August, 2000.



Michael E. Stead  
Railroad Safety Program Administrator

Attest:



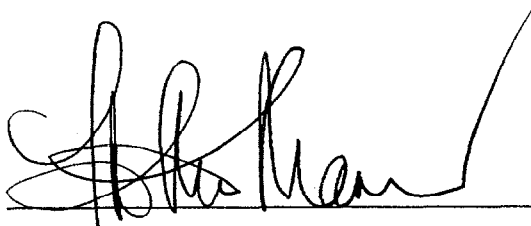
Henry Humphries,  
Railroad Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 950 concerning improvements at the Renshaw Street (TR-225) grade crossing of the Illinois Central Railroad Company's tracks, in the unincorporated community of Reevesville, Johnson County, Illinois designated as crossing AAR/DOT # 296 654B, Milepost 109.79-U.

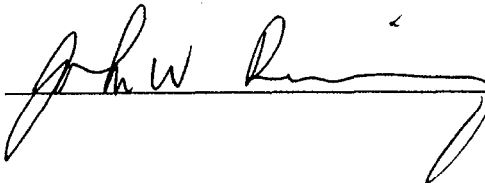
Executed by the Company this 14 day of August 2000.

ILLINOIS CENTRAL RAILROAD  
COMPANY

By:

  
Vice President CN

Attest:

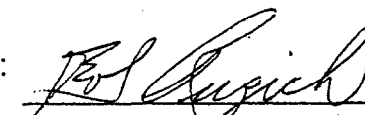


Illinois Commerce Commission Stipulated Agreement No. 950 concerning improvements at the Renshaw Street (TR-225) grade crossing of the Illinois Central Railroad Company's tracks, in the unincorporated community of Reevesville, Johnson County, Illinois designated as crossing AAR/DOT # 296 654B, Milepost 109.79-U.

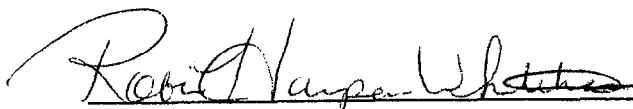
Executed by the County this 16th day of August 2000.

JOHNSON COUNTY

By:

  
\_\_\_\_\_  
Johnson County Engineer

Attest:

  
\_\_\_\_\_  
Johnson County Clerk/Recorder

Johnson County Clerk/Recorder

Illinois Commerce Commission Stipulated Agreement No. 950 concerning improvements at the Renshaw Street (TR-225) grade crossing of the Illinois Central Railroad Company's tracks, in the unincorporated community of Reevesville, Johnson County, Illinois designated as crossing AAR/DOT # 296 654B, Milepost 109.79-U.

Executed by the Department this 13<sup>th</sup> day of September 2000.

STATE OF ILLINOIS

DEPARTMENT OF TRANSPORTATION

By:

James C. Shifer  
Director of Highways

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT SURVEY FORM

RR/Line CNIC Milepost 109.79-U Inventory # 296 654B  
City (N) Vienna Street Renshaw Street County Johnson  
(TR-225)  
Jurisdiction Local Urban XX Rural      Commercial      Residential XX  
Street Surface Gravel Width 26' Condition Fair  
Angle 90° Tracks Tangent Yes Degree of Curve -- Superelevation --  
Depth of Cut ----- Height of Fill -----

Crossing Surface

Track Centers	Elevation	Track	Type	Width	Condition
		Main	FDT	26'	Fair
15'	Main 12" higher than pass				
		Pass	FDT	27'	Fair↔Poor
22' - 4"	3" lower than pass				
		Side	Gravel	27'	Poor

Intersecting Roads 100' Chestnut Street 200' Service road  
Traffic Control Devices Present None  
ADT 105 Speed posted 30MPH Statewide Yes  
Schoolbuses Poss. Hazardous Materials      Other       
Rail Traffic: Ft. 16-18 @ 60 mph Pass. --@ -- mph Switch       
Simultaneous Movements Yes Daylight and Dark Yes  
Present Protection Crossbucks

Advance Warning Signs Yes Pavement Marking No



## Visibility Study

Quad	Clearing Visibility	Obstruction	Stopping Visibility	Obstruction
NE	ok		50'	Trees/brush curve in road
NW	ok		250-300'	House
SE	ok		250'-300'	trees/curve in road
SW	ok		250-300'	trailer

### Approach Grades

East See	'	plan %	Exh	'	C %		'		%
West See	'	plan %	Exh	'	C %		'		%

Comments: \_\_\_\_\_

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



EXHIBIT B  
PAGE 1

ILLINOIS CENTRAL RAILROAD  
ENGINEERING DEPARTMENT  
OFFICE OF GENERAL MANAGER-C&S

Reevesville, IL

Est 1030-001

Estimated cost of Signal work to install Gates at Renshaw Street (TR223).

Midwest Division

Val Sec Il-9

ITEM DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL COST
=====				
FAPG				
----				
CABLE, 2c/6 TW., 120-D (O)	400.	FEET @	0.68	272.00
CABLE, 3c/6, 121-L (O)	100.	FEET @	1.43	143.00
CABLE, 7c/6, 121-N (O)	250.	FEET @	3.32	830.00
WIRE, #10 AWG STRANDED (O)	400.	FEET @	0.25	100.00
CABLE, 5c/14, 121-B (O)	250.	FEET @	1.00	250.00
INSULATED JOINT	2.	EACH @	240.00	480.00
LANDFILL	1.	L.S. @	500.00	500.00
MISC. SIGNAL MATERIAL	1.	L.S. @	300.00	300.00
<u>CROSSING MATERIALS PACKAGE</u>				
GCP3000, 80200-112-IPI	1.	EACH @	13216.00	13216.00
RECORDER INTERFACE, 80025	1.	EACH @	227.00	227.00
NARROW BAND SHUNT, 62775-8621	4.	EACH @	597.00	2388.00
AC-DC TRACK CIRCUIT	2.	EACH @	554.00	1108.00
PSO BATTERY CHOKE, 7A360	4.	EACH @	225.00	900.00
RELAY, TRK, 4 OHM, ST 400010	2.	EACH @	586.00	1172.00
RECTIFIER, CRC 20EC-12V	1.	EACH @	535.00	535.00
RECTIFIER, CRC 40EC-12V	1.	EACH @	665.00	665.00
ADJUSTABLE RESISTOR	8.	EACH @	27.00	216.00
XING LAMP CONTROLLER, XLC	2.	EACH @	865.00	1730.00
VITAL LOGIC GATE, VLG	2.	EACH @	530.00	1060.00
VITAL RELAY DRIVER, VRD	1.	EACH @	705.00	705.00
WAGO TERMINATION EQUIPMENT	1.	LOT @	500.00	500.00
ERICO SURGE PROTECTION	1.	LOT @	2000.00	2000.00
EQUIPMENT RACK	2.	EACH @	311.00	622.00
FLX2000 & GATE ASSEMBLY	2.	EACH @	7195.00	14390.00
FLX2000, 1-WAY	2.	EACH @	1055.00	2110.00
ARM, EZ GATE, 16-24'	2.	EACH @	442.00	884.00
GATEKEEPER, SK-1000	2.	EACH @	1928.00	3856.00
BELL, ELECTRONIC, 040201-X	1.	EACH @	223.00	223.00

24-AUG-1999

PAGE 2

Reevesville, IL

Est 1030-001

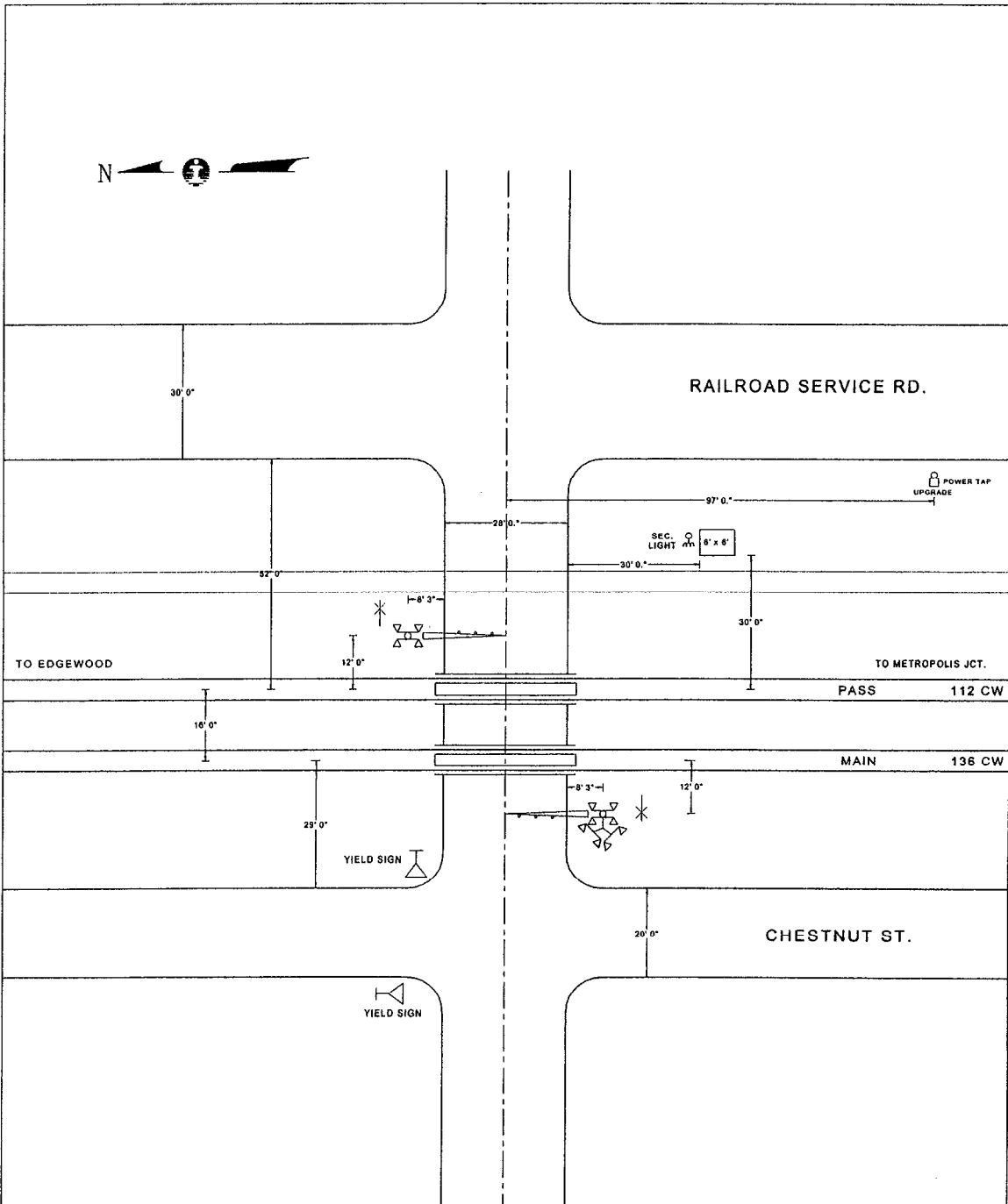
CROSSING MATERIALS PACKAGE (CONT'D)


BATTERY, GNB 265AH	13. EACH @	217.00	2821.00
BOX, BATTERY, 6 CELL	4. EACH @	434.00	1736.00
FOUNDATION, S2 4FT-6IN HI	2. EACH @	369.00	738.00
ALUMINUM HOUSE, 8x6'	1. EACH @	11400.00	11400.00
5 MAN GANG	12. DAY @	1000.00	12000.00
PRELIMINARY ENGINEERING	1. L.S. @	3600.00	3600.00
CONSTRUCTION ENGINEERING	1. L.S. @	275.00	275.00

SUMMARY

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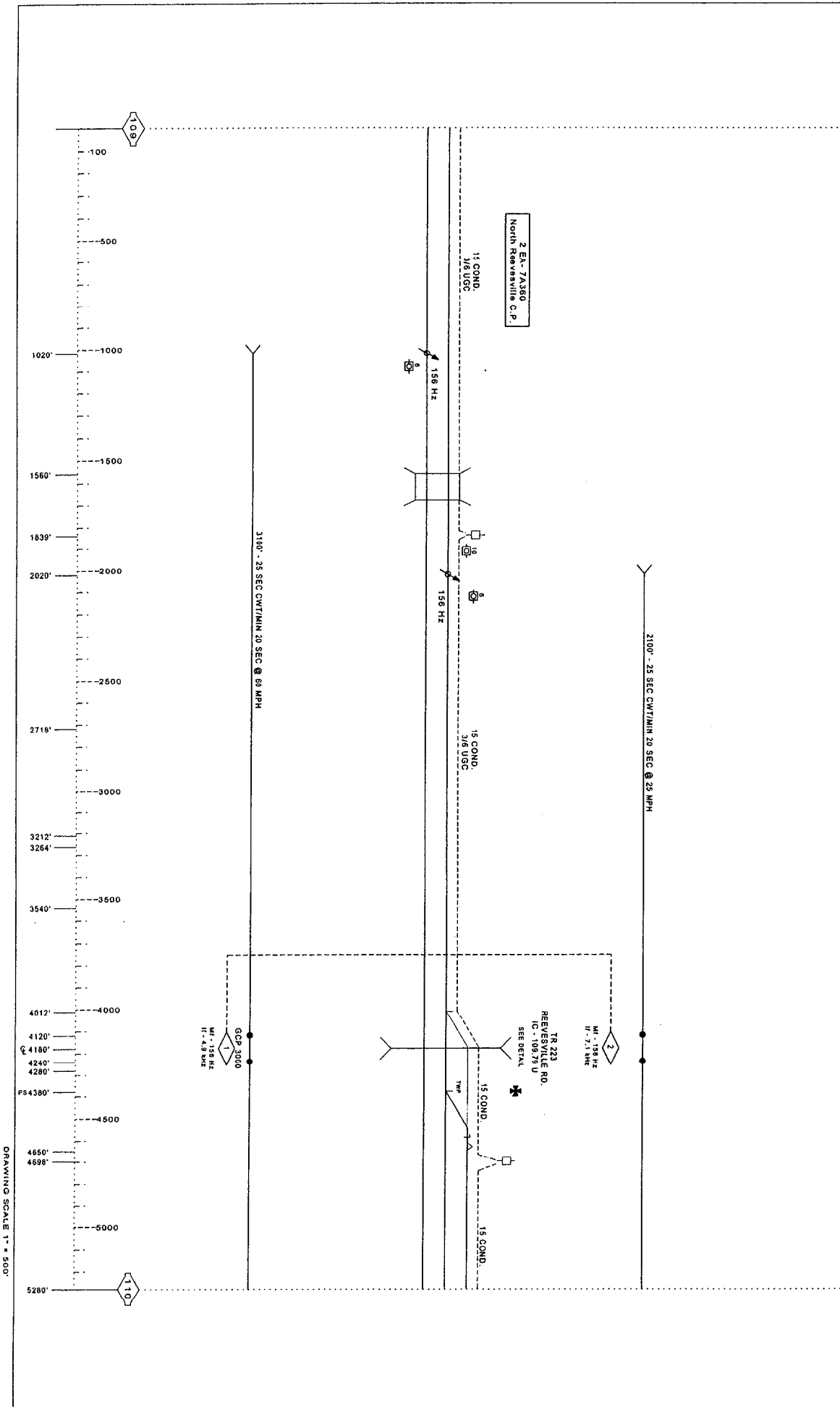
MATERIAL	68077.00 *
HANDLING 0.0610	4152.70
CROSSING SYSTEM WIRING	6000.00
LABOR	12000.00 *
ENGINEERING	3875.00
ACCOUNTING	300.00
COMPOSITE ADD.-DIRECT LABOR 1.0706	12847.20
COMPOSITE ADD.-ENG 1.0088 -ACCT 1.0706	4230.28
SUBSISTENCE	3000.00
RENTAL OF EQUIPMENT	2400.00
POWER TAP	1500.00
CONTINGENCIES	11837.82
	-----
TOTAL COST	130220.00



QUADRANT	NE	SW	<b>Illinois Central</b>  <b>COMMUNICATIONS &amp; SIGNALS, ENGINEERING DEPARTMENT</b>	
STANDARD AFLS	-	-	CITY & STATE <b>REEVESVILLE, IL</b>	SD 1030 X
CANTILEVER, FT.	-	-		
GATE, FT.	22	22	CROSSING <b>TR223 - REEVESVILLE RD. RENSHAW ST.</b>	DATE <b>4/20/99</b>
ADDED LIGHTS	-	135° 225°		
BARRICADE	-	-	IC - 109.79 U	DOT - 296 654 B
MULTI-TK SIGN	X	X		
BELL	X	-	NORTHERN REGION	BLUFORD DISTRICT
REVISIONS				
E:IDWGL			IN SERVICE	SCALE 1"=30'
			DRAWN BY <b>GMB</b>	

DRAWING SCALE 1" = 500'

SD 1030 - MP 109 TO 110



20-APR-2000 PAGE 1

ILLINOIS CENTRAL RAILROAD  
OFFICE OF ENGINEER-TRACK

REEVESVILLE, IL.  
V.S. IL-9

BLUFORD DISTRICT  
M.P. U 110

GULF DIVISION  
FILE U110/3

INSTALL 24-FT KOPPERS CROSSING IN PASSING TRACK AT RENSHAW ST. (TR 223)  
(DOT# 296 654 B).

ESTIMATED QUANTITIES NOT TO BE USED TO REQUISITION MATERIAL

COST CODE	DESCRIPTION	UNIT COST	QUANTITY	UNIT	TOTAL COST
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FHPM

ADDITIONS AND BETTERMENTS

RAIL NEW	474.00	1.53	N.T.	725.22
JOINT WELDS - FIELD	38.80	4.00	JTS.	155.20
FIELD WELD RAIL JOINTS	17.73	18.00	M.H.	319.14
XING MATL - SOLID TIMBER	66.63	24.00	T.F.	1599.12
INSTALL XING SOLID TIM	17.73	36.00	M.H.	638.28
CONTRACT APPROACH WORK	4000.00	1.00	L.S.	4000.00
FRT, CO MATL	0.03	979.62	TNMI	29.39
ENGINEERING	250.00	1.00	L.S.	250.00
PER DIEM	52.00	6.75	M.D.	351.00
TIE CROSS CROSS 7"X9"X8'6 OAK	30.07	27.00	EACH	811.89
CHANGE OUT CROSS TIES	17.73	16.80	M.H.	297.86
RAIL ANCHORS 115#-112#	0.64	57.00	EACH	36.48
SPIKES TRACK 6"X5/8"	51.80	0.45	KEG	23.31
CHANGE OUT RAIL	17.73	6.00	M.H.	106.38
BALLAST CRUSHED STONE	7.40	39.97	C.Y.	295.78
UNLOAD BALLAST	17.73	6.60	M.H.	117.02
WORK TRAIN BALLAST - CO	1518.00	0.08	DAY	121.44
RAISE - SURFACE TRACK	17.73	72.00	M.H.	1276.56
STRIP TRACK	17.73	13.20	M.H.	234.04
FRT, CO MATL	0.03	14568.39	TNMI	437.05
TRAFFIC CONTROL	4500.00	1.00	L.S.	4500.00
PER DIEM	52.00	14.32	M.D.	744.64

MATERIAL	3647.00	
SALES TAX 0.05		182.35
HANDLING 0.0610		233.59
LABOR	2989.28	
ENGINEERING		250.00
ACCOUNTING		40.49
OTHER	9087.88	
COMPOSITE ADD. - DIRECT LABOR		2634.45
COMPOSITE ADD. - ENGIN + ACCT LABOR		241.95



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SUBSISTENCE	1095.64
RENTAL OF EQUIPMENT	485.89
CONTINGENCIES	0.00
SUB-TOTAL A&B	20888.52

BASE OPERATING EXPENSES  
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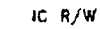
REMOVE XING SOLID TIMB	17.73	39.00 M.H.	691.47
PER DIEM	52.00	4.88 M.D.	253.76

MATERIAL	0.00	
SALES TAX 0.05		0.00
HANDLING 0.0610		0.00
LABOR	691.47	
ENGINEERING		0.00
ACCOUNTING		8.64
OTHER	0.00	
COMPOSITE ADD. - DIRECT LABOR		610.04
COMPOSITE ADD. - ENGIN + ACCT LABOR		7.20
SUBSISTENCE		253.76
RENTAL OF EQUIPMENT		103.72
CONTINGENCIES		0.00
SUB-TOTAL BASE		1674.83


TOTAL A&B, DEP. CAP. AND BASE	22563.35
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SALVAGE VALUE MATERIAL RELEASED  
-----

RAIL SCRAP	SC	50.00	1.35 N.T.	67.50
LESS HANDLING 0.15				-10.12
S. TOTAL SALVAGE				57.38
S. TOTAL NET ESTIMATED COST				22505.97



- REMOVE 26" SOLID TIMBER X-ING SURFACE
- STRIP 40 TF
- 100% TIE RENEWAL THRU X-ING (27 EA.)
- RELAY 40 TF OF 115# NEW CW RAIL, RELIEVING  
40 TF OF 112# CW SCRAP
- FIELD WELDS - 4 EA.
- INSTALL 24 FT. KOPPERS TIMBER X-ING SURFACE
- RAISE AND SURFACE 150 TF
- APPROACH WORK (40 TONS ASPHALT - BY CONTRACT)
- TRAFFIC CONTROL (BY IC)

**Illinois  
Central** 

GULF DIVISION  
BLUFORD DIST.  
REEVESVILLE, IL  
LOCATION

IMPROVEMENTS TO RENSHAW ST.  
GRADE CROSSING

DOT# 296 6548, MP U-109.79

OFFICE OF FIELD ENGINEER

Drawn by: JCB	Scale: 1"=30'	Dwg. No.
Chkd. by: JCB	Date: 04-10-00	File No. REFVSVII



P. O. BOX 247

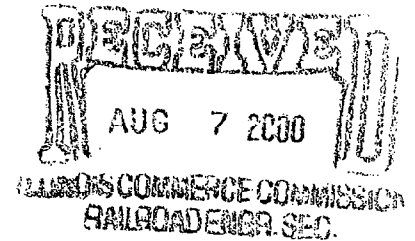
• 1225 U.S. HWY. 45 NORTH •

VIENNA, ILLINOIS 62995-0247

EXHIBIT C  
PAGE 1

TELEPHONE (618) 658-2741

August 4, 2000



Mr. Henry Humphries  
Illinois Commerce Commission  
527 East Capitol Street  
Springfield, IL 62794

Dear Mr. Humphries:

As per our conversation last week, the following is an estimate of quantities for the proposed railroad crossing at Reevesville - Sec. 97-01207-00-SP to place asphalt surface:

4" Asphalt - 47 ton @ \$75.00 = \$3,525.00

CA10 - 130 ton @ \$8.00 = 1,040.00

Roller, Grader, Operator - 8 hrs. @ \$65.00 = 520.00

TOTAL: \$5,085.00

If you need any additional information or have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bob L. Ruzich".

Bob L. Ruzich, P.E.  
Johnson County Engineer

BLR:lk

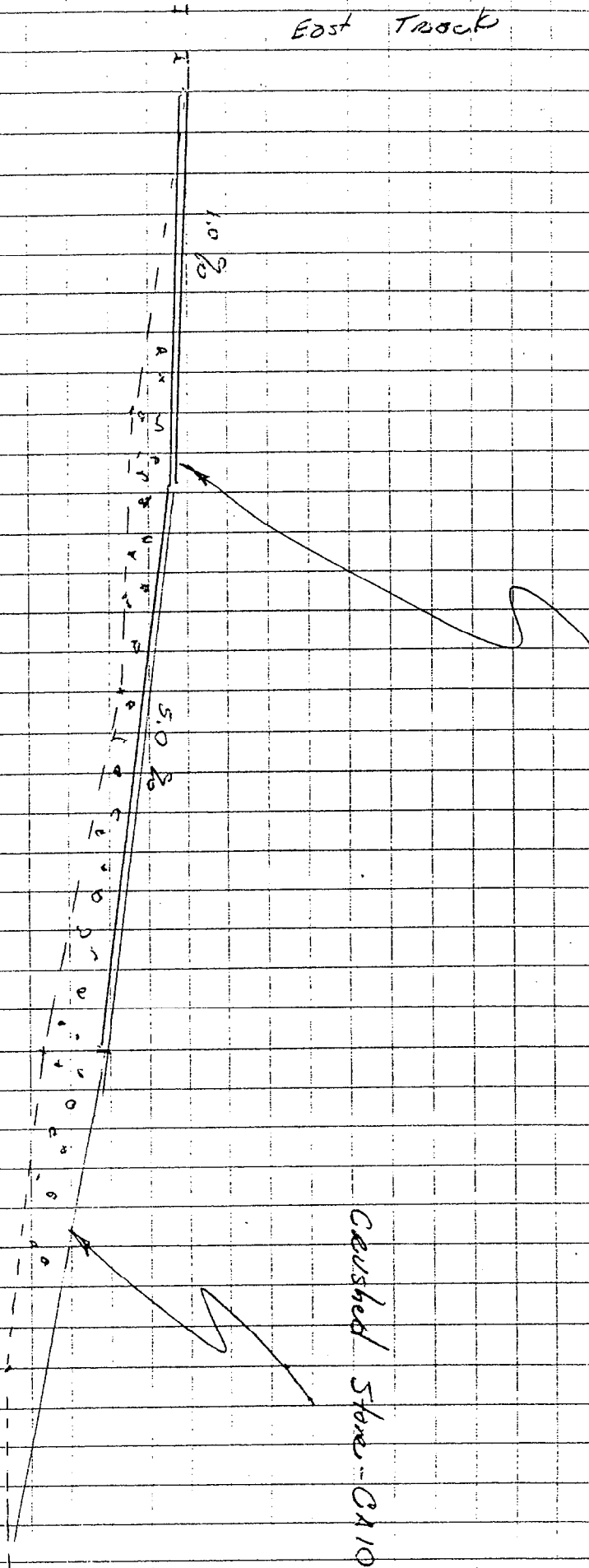
Enclosure

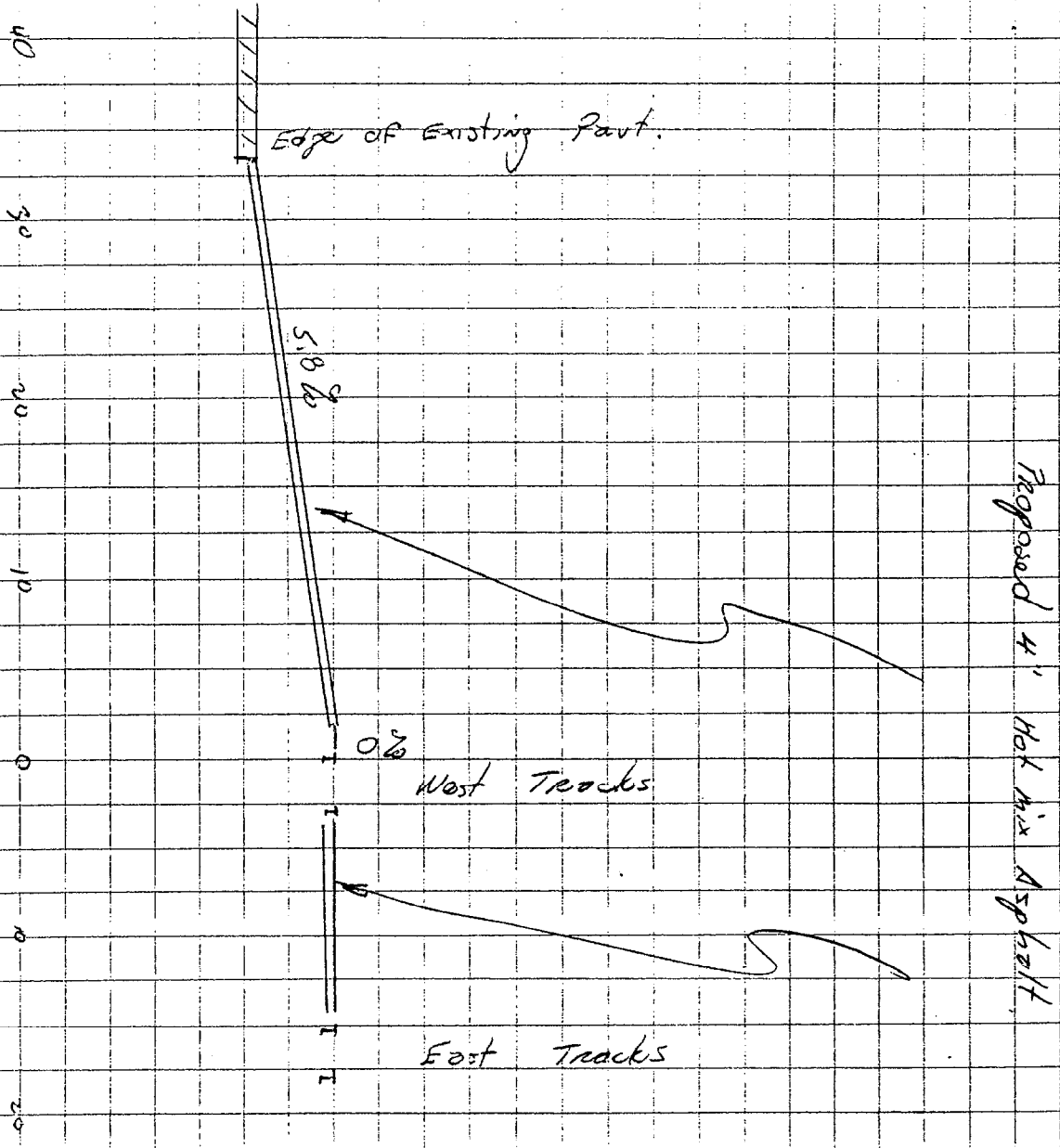
East Track

Proposed 4" Hot Mix Asphalt

Crushed Stone - CA10

20 30 40 50 60 70 80 90 100 feet





feet  
4  
3  
2  
1  
0  
feet

ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT

Date August 16, 2000

Agreement # 950

The County  
(Board or Council of Township, Village, City, County, etc.)

meeting on August 16, 2000, Resolved to authorize Bob L. Ruzich  
(Date) (Name, Office)

to act as its designated agent in the processing of this Stipulated agreement and  
that the County is financially willing and able to  
(Township, Village, City, County)

bear the cost for the proposed improvements as may be assigned to it according  
to Section 5 of this Agreement.